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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/901,114	07/10/2001	Takashi Furuta	1046.1257	7213

21171 7590 08/08/2007
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EXAMINER

WU, RUTAO

ART UNIT	PAPER NUMBER
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3628

MAIL DATE	DELIVERY MODE
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08/08/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/901,114	Applicant(s) FURUTA ET AL.	
	Examiner Rob Wu	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☒ Claim(s) 13 and 29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 24 2007 has been entered.

Claim Objections

2. Claim 13 is objected to because of the following informalities: The Examiner believes claim 13 should depend from claim 9. Appropriate correction is required.
3. Claim 29 is objected to because of the following informalities: the term "uses" should be "users". Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat No. 6,976,003 to Hamor et al.

Referring to claim 1:

A profit sharing system for an agency service, comprising:

Hamor et al disclose a storage module storing amounts of shared target money to be shared to a plurality of service providers each providing one or more services, the services offered through the service provider's content delivery interface and the agency service. (col 7: lines 23-25)

Hamor et al disclose an agency service provider providing an agency service through which the plurality of service providers provide the services to users and for providing the users with the plurality of services provided from a plurality of service providers. (col 4: lines 3-5; col 7: lines 29-32)

Hamor et al disclose that the revenue pool is collected from advertisers (col 7: lines 23-25) and that the Global Content Center (GCC) service can be provided to the clients for a fee (col 8: lines 65-66).

Hamor et al does not expressly disclose that the share target money are extracted from profits of an agency service provider providing an agency service through which the plurality of service providers provide the services to users and the profits obtained by operating for a predetermined period the agency service for providing the users with the plurality of services provided from the plurality of service providers. However, since Hamor et al disclose that the GCC collects fee from advertisers and users and the fee collected from the advertisers are distributed to the

content providers (col 7: lines 38-41) then it would have been obvious that the share target money are extracted from profits of the GCC.

Hamor et al disclose a calculation module calculating an amount of shared money allocated to each of the plurality of service providers from the amount of share target money stored in the storage module based upon a frequency of providing the users with each service of each of the plurality of service providers during the predetermined period. (col 8: lines 46-60)

Referring to claim 2:

Hamor et al disclose

A profit sharing system according to claim 1, wherein said calculation module includes:

A providing count storage module storing a providing count of each service during the predetermined period;(col 7: lines 44-67) and

A shared money calculation module calculating a frequency of providing each service by dividing a counted providing count of each service by a total sum of the service providing counts and calculating the amount of shared money allocated to each service by multiplying each of the calculated frequencies by the amount of shared target money. (col 8: lines 30-60)

Referring to claims 3, 10 and 17:

Hamor et al does not expressly disclose wherein the profits are a total of agency service usage fees during the predetermined period that are collected from the users on the basis of one single contract. Hamor et al disclose that the shared profits are

collected from advertisers (col 7: lines 24-25), Hamor et al also disclose that the Global Content Center (GCC) service can also be provided to the users for a fee. (col 8: lines 65-66). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Hamor et al to collect the fees from client usage of service as part of the shared profit pool. Hamor et al would be motivated to perform such step because the fee collected from the clients' using of the service would be the profit of the GCC.

Referring to claims 4, 11 and 18:

Hamor et al does not expressly disclose wherein the amount of share target money is an amount obtained by subtracting an operating cost for the agency service from the profits. However, it is a well known concept in the arts that the operating cost of a service are subtracted from earnings to obtain the profits of the service.

Referring to claims 5, 12 and 19:

Hamor et al does not expressly disclose further comprising a request module requesting a financial institution to pay the shared money to each provider. However, Hamor et al does disclose distributing monetary compensation to content providers (col 8: lines 46-55). Therefore, it would have been obvious at the time of the invention for Hamor et al to use a financial institution to distributing the monetary compensation since it is well known in the arts that money is stored and distributed by financial institutions.

Referring to claim 6:

Hamor et al disclose

A profit sharing system according to claim 2, further comprising:

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A database stored with a plurality of contents provided by the plurality of providers; (col 4: lines 5-10; col 7: lines 29-33) and

A content providing module obtaining a content corresponding to a request of the user as the service from said database and providing the user with this content, and storing a providing count of each content in said providing count storage module. (col 7: lines 34-42)

Referring to claims 7, 14 and 21:

Hamor et al does not expressly disclose wherein the content is a dictionary content, and

Said content providing module provides the user with a list of dictionary contents corresponding to a search key received from the user, and provides the user with the dictionary content selected from this list by the user.

Hamor et al does disclose that clients access contents stored on the GCC provided by content providers (col 7: lines 34-38), Hamor et al also disclose that the content providers can be publishers, media firms, vendors, etc. (col 7: lines 31-32). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Hamor et al's GCC to provide dictionary content service.

Referring to claim 8:

A profit sharing method for an agency service that is performed by a computer, the method comprising:

Hamor et al disclose storing amounts of shared target money to be shared to a plurality of service providers each providing one or more services, the services offered

through the service provider's content delivery interface and the agency service. (col 7: lines 23-25)

Hamor et al disclose an agency service provider providing an agency service through which the plurality of service providers provide the services to users and for providing the users with the plurality of services provided from a plurality of service providers. (col 4: lines 3-5; col 7: lines 29-32)

Hamor et al disclose that the revenue pool is collected from advertisers (col 7: lines 23-25) and that the Global Content Center (GCC) service can be provided to the clients for a fee (col 8: lines 65-66).

Hamor et al does not expressly disclose that the share target money are extracted from profits of an agency service provider providing an agency service through which the plurality of service providers provide the services to users and the profits obtained by operating for a predetermined period the agency service for providing the users with the plurality of services provided from the plurality of service providers. However, since Hamor et al disclose that the GCC collects fee from advertisers and users and the fee collected from the advertisers are distributed to the content providers (col 7: lines 38-41) then it would have been obvious that the share target money are extracted from profits of the GCC.

Hamor et al disclose calculating an amount of shared money allocated to each of the plurality of service providers from the amount of share target money stored in the storage module based upon a frequency of providing the users with each service of

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each of the plurality of service providers during the predetermined period. (col 8: lines 46-60)

Referring to claim 9:

Hamor et al disclose

A profit sharing method according to claim 8, wherein said calculating the amount of shared money includes:

Storing a providing count of each service during the predetermined period;(col 7: lines 44-67) and

Calculating a frequency of providing each service by dividing a counted providing count of each service by a total sum of the service providing counts and calculating the amount of shared money allocated to each service by multiplying each of the calculated frequencies by the amount of shared target money. (col 8: lines 30-60)

Referring to claim 13:

Hamor et al disclose

A profit sharing method according to claim 8, further comprising obtaining a content corresponding to a request of the user as the service from a database stored with a plurality of contents provided by the plurality of providers, and providing the user with this content and storing a providing count of each content. (col 4: lines 5-10; col 7: lines 29-42)

Referring to claim 15:

A storage medium readable by a computer, tangibly embodying a program of instructions executable by the computer to perform the method comprising:

Hamor et al disclose storing amounts of shared target money to be shared to a plurality of service providers each providing one or more services, the services offered through the service provider's content delivery interface and the agency service. (col 7: lines 23-25)

Hamor et al disclose an agency service provider providing an agency service through which the plurality of service providers provide the services to users and for providing the users with the plurality of services provided from a plurality of service providers. (col 4: lines 3-5; col 7: lines 29-32)

Hamor et al disclose that the revenue pool is collected from advertisers (col 7: lines 23-25) and that the Global Content Center (GCC) service can be provided to the clients for a fee (col 8: lines 65-66).

Hamor et al does not expressly disclose that the share target money are extracted from profits of an agency service provider providing an agency service through which the plurality of service providers provide the services to users and the profits obtained by operating for a predetermined period the agency service for providing the users with the plurality of services provided from the plurality of service providers. However, since Hamor et al disclose that the GCC collects fee from advertisers and users and the fee collected from the advertisers are distributed to the content providers (col 7: lines 38-41) then it would have been obvious that the share target money are extracted from profits of the GCC.

Hamor et al disclose calculating an amount of shared money allocated to each of the plurality of service providers from the amount of share target money stored in the

storage module based upon a frequency of providing the users with each service of each of the plurality of service providers during the predetermined period. (col 8: lines 46-60)

Referring to claim 16:

Hamor et al disclose

A storage medium according to claim 15, wherein said calculating the amount of shared money includes:

Storing a providing count of each service during the predetermined period;(col 7: lines 44-67) and

Calculating a frequency of providing each service by dividing a counted providing count of each service by a total sum of the service providing counts and calculating the amount of shared money allocated to each service by multiplying each of the calculated frequencies by the amount of shared target money. (col 8: lines 30-60)

Referring to claim 20:

Hamor et al disclose

A storage medium according to claim 16, said program further comprising obtaining a content corresponding to a request of the user as the service from a database stored with a plurality of contents provided by the plurality of providers, and a step of providing the user with this content and storing a providing count of each content. (col 4: lines 5-10; col 7: lines 29-42)

Referring to claims 22, 23 and 24:

Hamor et al does not expressly disclose wherein said content providing module provides a setting screen for the user to set a priority of the plurality of dictionary contents. Hamor et al does disclose that the client registers with the GCC by creating an account where client profiles and preferences may be entered (col 9: lines 23-25) and allowing the clients to use the preferences to define the type of services (col 4: lines 55-57). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Hamor et al to allow the client to set the priority of content providers in their profiles. Hamor et al would be motivated to perform such step to provide convenience to the clients using the GCC.

Referring to claim 25:

A profit sharing system for an agency service, comprising:

Hamor et al disclose a providing module providing an agency service for an agency service provider to provide a user with a requested service from among one or more services provided by a plurality of service providers that provide the one or more services via the agency service provider, each service provider of the plurality of service providers also providing services through the service provider's content delivery interface; (col 4: lines 3-5; col 7: lines 29-32, 44-50) and

Hamor et al disclose a calculation module calculating an amount of shared money shared to each service provider based upon a frequency of providing the users with each service of each of the plurality of service providers (col 46-60)

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Hamor et al does not expressly disclose wherein the shared money of each service provider is extracted from profits of the agency service provider obtained by providing the agency service.

However, since Hamor et al disclose that the GCC collects fee from advertisers and users (col 7: lines 23-25; col 8: lines 65-66) and the fee collected from the advertisers are distributed to the content providers (col 7: lines 38-41) then it would have been obvious that the share target money are extracted from profits of the GCC.

Referring to claim 26:

An apparatus, comprising:

Hamor et al disclose providing an agency service for an agency service provider to provide a user with a requested service from among one or more services provided by a plurality of service providers that provide the one or more services via the agency service provider, each service provider of the plurality of service providers also providing services through the service provider's content delivery interface; (col 4: lines 3-5; col 7: lines 29-32, 44-50)

Hamor et al disclose storing a count of providing the requested service to the user; (col 7: lines 44-67) and

Hamor et al disclose a calculation module calculating an amount of shared money shared to each service provider based upon a frequency of providing the users with each service of each of the plurality of service providers (col 46-60)

Hamor et al does not expressly disclose wherein the shared money of each service provider is extracted from profits of the agency service provider obtained by providing the agency service.

However, since Hamor et al disclose that the GCC collects fee from advertisers and users (col 7: lines 23-25; col 8: lines 65-66) and the fee collected from the advertisers are distributed to the content providers (col 7: lines 38-41) then it would have been obvious that the share target money are extracted from profits of the GCC.

Referring to claim 27:

A storage medium readable by a computer, tangibly embodying a program of instructions executable by the computer to perform a process comprising:

Hamor et al disclose providing an agency service for an agency service provider to provide a user with a requested service from among one or more services provided by a plurality of service providers that provide the one or more services via the agency service provider, each service provider of the plurality of service providers also providing services through the service provider's content delivery interface; (col 4: lines 3-5; col 7: lines 29-32, 44-50)

Hamor et al disclose storing a count of providing the requested service to the user; (col 7: lines 44-67) and

Hamor et al disclose a calculation module calculating an amount of shared money shared to each service provider based upon a frequency of providing the users with each service of each of the plurality of service providers (col 46-60)

Hamor et al does not expressly disclose wherein the shared money of each service provider is extracted from profits of the agency service provider obtained by providing the agency service.

However, since Hamor et al disclose that the GCC collects fee from advertisers and users (col 7: lines 23-25; col 8: lines 65-66) and the fee collected from the advertisers are distributed to the content providers (col 7: lines 38-41) then it would have been obvious that the share target money are extracted from profits of the GCC.

Referring to claim 28:

A method of sharing profits for an agency service, comprising:

Hamor et al disclose providing an agency service for an agency service provider to provide a user with a requested service from among one or more services provided by a plurality of service providers that provide the one or more services via the agency service provider, each service provider of the plurality of service providers also providing services through the service provider's content delivery interface; (col 4: lines 3-5; col 7: lines 29-32, 44-50) and

Hamor et al disclose a calculation module calculating an amount of shared money shared to each service provider based upon a frequency of providing the users with each service of each of the plurality of service providers (col 46-60)

Hamor et al does not expressly disclose wherein the shared money of each service provider is extracted from profits of the agency service provider obtained by providing the agency service.

However, since Hamor et al disclose that the GCC collects fee from advertisers and users (col 7: lines 23-25; col 8: lines 65-66) and the fee collected from the advertisers are distributed to the content providers (col 7: lines 38-41) then it would have been obvious that the share target money are extracted from profits of the GCC.

Referring to claim 29:

A profit sharing system for an agency service, comprising:

Hamor et al disclose a providing module to provide an agency service for users thereof, wherein the agency service is a service to provide at least one of services that are provided from a plurality of service providers in response to a request from each of the users, the agency service is provided for each of the uses subject to payment of an agency service usage fee that is a fixed fee not related to providing counts of the services; (col 7: lines 45-50; col 8: lines 64-66)

Hamor et al disclose a storage module storing amounts of share target money, which should be shared to the plurality of service providers (col 7: lines 23-25), that the share target money is advertising revenue (col 7: lines 23-25) and that the Global Content Center (GCC) service can also be provided to the users for a fee (col 8: lines 65-66). Hamor et al does not expressly disclose wherein the share target money is extracted from a total of agency service usage fees during the predetermined period that are collected from the users. Therefore, it would have been obvious at the time of the invention that the total GCC revenue is the total of the advertising revenue plus client usage fees, and therefore the share target money is extracted from a total of agency service usage fees.

Hamor et al disclose a providing count storage module storing a providing count of each of the services during the predetermined period; (col 7: lines 45-50) and

Hamor et al disclose a calculation module, after the predetermined period, to execute a process for calculating an amount of the shared money to be paid to each of the service providers, (col 8: lines 26-60) wherein the process includes:

Reading providing counts of each of the services from the providing count storage module; (col 8: lines 26-60)

Calculating, as a total of service providing counts, a total of the providing counts of each of the services; (col 8: lines 26-60)

Calculating a providing frequency of each of the services by dividing the total of service providing counts by each of the providing counts of each of the services respectively; (col 8: lines 26-60)

Reading the amounts of the shared target money; (col 8: lines 26-60) and

Calculating the amount of the shared money of each of the service providers by multiplying the amounts of the shared money by each of the providing frequencies. (col 8: lines 26-60)

Conclusion

6. Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures

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may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

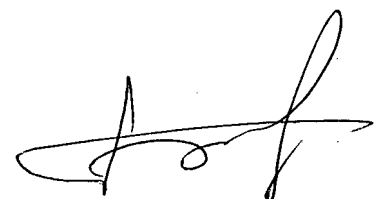
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rob Wu whose telephone number is (571)272-3136.

The examiner can normally be reached on Mon-Fri 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571)272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

rw



IGOR N. BORISSOV
PRIMARY EXAMINER